

PATENT
Customer No. 22.852
Attorney Docket No. 07738.0147-00000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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|-----------------------------|---|----------------------------|
| In re Application of: |) | |
| |) | |
| Grant E. DUBOIS et al. |) | Group Art Unit: 1761 |
| |) | |
| Application No.: 09/838,809 |) | Examiner: Carolyn A. PADEN |
| |) | |
| Filed: April 20, 2001 |) | Confirmation No.: 3526 |
| |) | |
| For: NON CALORIC FROZEN |) | |
| CARBONATED BEVERAGE |) | |

Commissioner for Patents
P.O. Box 1450
Washington, DC 20231

VIA EFS-Web

Sir:

SUBMISSION UNDER 37 C.F.R. § 1.114

Further to the Request for Continued Examination submitted herewith, and in response to the Final Office Action dated March 22, 2006, the period for response having been extended by the petition and fee filed herewith, please amend the above-identified application, without prejudice, as follows:

Amendments to the Claims are reflected in the listing of claims in this paper.

Remarks follow the amendment section of this paper.